

April 30, 1981

LB 466

SENATOR FOWLER: I would just ask that it be a record vote.

SPEAKER MARVEL: Proceed, Mr. Clerk.

CLERK: (Read the record vote as found on page 1662 of the Legislative Journal.) 12 ayes, 28 nays, Mr. President, on the motion to indefinitely postpone.

SPEAKER MARVEL: The motion fails.

CLERK: Mr. President, the next motion I have is from Senator Labeledz and that amendment is on page 1546 of the Journal.

SPEAKER MARVEL: Okay, Senator Labeledz.

SENATOR LABEDZ: Mr. Speaker, this is the notification amendment and I will be very...I will try to be very brief because I believe I sent out the information explaining why I think this notification amendment is probably one of the most important amendments or legislation that we have done so far on the movement. And I offer this amendment to LB 466 in response to the recent Supreme Court decision which addressed the question of parental notification in situations where an abortion is to be performed on a minor. The U. S. Supreme Court has recently ruled that a Utah parental notification requirement is constitutional as applied to immature dependent, to dependent minors. According to the Supreme Court the Utah statute did not give parents a veto power over a minor's abortion decision. The Utah statutes as applied to immature and dependent minors served important consideration of family integrity and protecting adolescents as well as providing an opportunity for parents to supply essential medical and other information to the physician, and this to me is an integral and a very important part of LB 466 because it continues on with my concern of follow-up care. The amendment before you would add a new section to the Nebraska law with detailed situation where a physician would be guilty of an unprofessional conduct. If adopted, this amendment would require a doctor to notify one of the parents or legal guardian of a minor who wants to have an abortion. The notification procedure is described in subsection 3 (1) of the amendment. In subsection 2 of the amendment, if a minor contends that she is immature or mature enough to make the abortion decision without parental notification, or that notification would not be in her best interest, she must present an affidavit